

United States District Court
for the
Eastern District of Washington

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Jun 23, 2016

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Efren Ariza Acevedo

Case Number: 0980 2:09CR02069-EFS-1

Address of Offender: [REDACTED] Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: March 17, 2010

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 54 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alex Carl Ekstrom Date Supervision Commenced: August 22, 2013

Defense Attorney: Kraig Gardner Date Supervision Expires: August 21, 2016

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Mr. Acevedo provided a random urinalysis sample on June 2, 2016, which tested positive for Tetrahydrocannabinol (THC). The sample was sent for further laboratory analysis and confirmed positive for marijuana metabolites on June 5, 2016.

On March 17, 2016, the defendant advised he was attacked by several active gang members at a local store and as a result of feeling upset and distressed, he smoked marijuana to calm down.

2 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Acevedo has agreed on multiple occasion since his release from custody on August 22, 2013, to pay his outstanding special assessment of \$529. He reported he is currently working at a local fruit warehouse and agreed to make a payment on or by June 20, 2016. To date, he has not made a payment and still owes the outstanding balance of \$529.

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3 **Special Condition # 15:** You shall enter into and actively participate in a GED program as directed by the supervising officer.

Supporting Evidence: Mr. Acevedo was released from custody on August 22, 2013. Approximately a year ago he started an online general educational development certificate (GED) program but failed to complete the program. To date, he has not followed through with any other educational program to obtain his GED.

4 **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Acevedo failed to appear for random urinalysis tests on the following dates: February 17, March 16, May 19, and June 21, 2016.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 23, 2016

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

June 23, 2016

Date